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**TITLE 3—THE PRESIDENT
EXECUTIVE ORDER 9851**

ADDING CERTAIN LANDS TO THE MOUNT
VERNON MEMORIAL HIGHWAY

WHEREAS by the act of June 29, 1940, 54 Stat. 686, certain federally-owned lands lying partly in the District of Columbia and partly in the State of Virginia were placed under the control and administration of the Administrator of Civil Aeronautics, except such portion thereof as the President might, by Executive order, add to the Mount Vernon Memorial Highway, authorized by the act of May 23, 1928, 45 Stat. 721, as amended; and

WHEREAS the Administrator of Civil Aeronautics has no further need for a certain tract of 263.70745 acres of such lands, and it appears that the addition of such tract to the said Highway would be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of June 29, 1940, 54 Stat. 686, the following-described tract of land is hereby added to and made a part of the Mount Vernon Memorial Highway, and shall be administered by the National Park Service, Department of the Interior:

Beginning at the point of intersection of the southerly right of way line of the Richmond, Fredericksburg and Potomac Railroad Company and the dredging base line, as established by the U. S. Engineer Office, said point of beginning being referenced south 6,800.38 feet, west 9,079.43 feet, from the dome of the United States Capitol Building (being the same point of beginning as set forth in Public No. 674, 76th Congress, 3rd Session, approved June 29, 1940); thence with the said dredging base line, it being the first line of the Washington National Airport, south $22^{\circ}50'39''$ east 2,996.66 feet to Station 30+07.26 of said dredging base line, said point being in the Potomac River east of the mouth of Roaches Run. Thence leaving said base line and crossing the Washington National Airport due west 1,678.77 feet to a monument located on the south bank of Roaches Run and 75 feet more or less easterly of the center line of the Mount Vernon Memorial Highway, said monument being marked U. S. D. I. 404-5,A3, referenced south 9,562.00 feet, west 9,594.82 feet from the dome of the United States Capitol Building. Thence parallel to and 75 feet more or less easterly of the center line of

the Mount Vernon Memorial Highway, south $40^{\circ}31'23''$ west 307.65 feet to a point. Thence on a curve to the left, having a central angle of $09^{\circ}14'53''$ and a radius of 3,708.58 feet, a distance of 598.60 feet, and whose long cord bears south $35^{\circ}53'55''$ west 597.93 feet to a point of compound with another curve. Thence on a curve to the left, having a central angle of $10^{\circ}53'49''$ and a radius of 3,945.78 feet, a distance of 750.43 feet, and whose long cord bears south $25^{\circ}49'36''$ west 749.29 feet to a monument located 75 feet more or less easterly of the center line of the Mount Vernon Memorial Highway and one foot off the back of the westerly curb of the north access road from the Washington National Airport, said monument being marked U. S. D. I. 404-5,A6. Thence on a curve to the left concentric with and one foot off the back of the aforesaid curb of north access road, said curve having a central angle of $03^{\circ}26'17''$ and a radius of 1,548.21 feet, a distance of 92.90 feet, and whose long cord bears south $06^{\circ}12'24''$ west 92.87 feet to a point of compound with another curve. Thence on a curve to the left concentric with and one foot off the back of the aforesaid curb of north access road, said curve having a central angle of $21^{\circ}07'07''$ and a radius of 1,052.65 feet, a distance of 388.00 feet, and whose long cord bears south $06^{\circ}04'18''$ east 385.85 feet to a monument located one foot off the back of said curb, said monument being marked U. S. D. I. 404-5,A8. Thence leaving said north access road, and radial to the last mentioned curve, south $73^{\circ}22'09''$ west 130.00 feet to a monument located 130 feet more or less easterly of the center line of the Mount Vernon Memorial Highway, said monument being marked U. S. D. I. 404-5,A9. Thence concentric to and 130 feet more or less easterly of the center line of the Mount Vernon Memorial Highway on a curve to the left, having a central angle of $10^{\circ}21'13''$ and a radius of 3,144.05 feet, a distance of 568.14 feet, and whose long cord bears south $06^{\circ}46'54''$ west 567.38 feet to a monument located southerly of the existing north access road to the Washington National Airport, said monument being marked U. S. D. I. 404-5,A10. Thence south $39^{\circ}40'40''$ east 131.76 feet to a monument, said monument being marked U. S. D. I. 404-5,A11. Thence south $02^{\circ}30'30''$ west 200.00 feet to a monument marked U. S. D. I. 404-5,A12. Thence continuing south $02^{\circ}30'30''$ west 471.10 feet to a point. Thence on a curve to the right concentric with and 200 feet more or less easterly of the center line of the Mount Vernon Memorial Highway, said curve having a central angle of $06^{\circ}39'40''$ and a radius of 6,231.13 feet, a distance of 724.42 feet, and whose long cord bears south $05^{\circ}50'24''$ west 724.03 feet to

(Continued on next page)

CONTENTS

THE PRESIDENT

Executive Order	Page
Mount Vernon Memorial Highway, addition of certain lands-----	3167

EXECUTIVE AGENCIES

Agriculture Department
Rules and regulations:
Administrative; representation
in departmental proceedings. 3169

Alien Property, Office of

Notices:

esting orders, etc.:	
Bock, Maria	3177
Gmahle, Jacob	3177
Knobloch, Lewis	3177
Knobloch, William, et al.	3178
Nagase, Tomiro	3176
Nolle, Bernard	3175
Ringwald, Carl Hans, and Ernst Willy Ringwald	3178
Sakagami, Kuniji, et al.	3176
Von Gilardi, Ruprecht	3176

Civil Aeronautics Board

Rules and regulations:
Airline transport pilot rating;
periodic physical examinations. 3170

General operation rules; pilot medical certificate and renewal 3170
Scheduled air carrier rules; elimination of requirement that pilots and dispatchers be listed in operating certificate 3171

Customs Bureau

Rules and regulations:
Air commerce regulations; application to civil air navigation of laws and regulations relating to customs, public health, entry and clearance, and immigration. 3172

Defense Transportation, Office
of

Rules and regulations:
 Rail equipment, conservation:
 shipments of new fresh
 harvested Irish potatoes
 and onions----- 3175
 Exception----- 3175



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CONTENTS—Continued

Federal Power Commission	Page
Notices:	
Hearings, etc.:	
Niagara Falls Power Co.-----	3179
United Gas Pipe Line Co.-----	3179
Federal Trade Commission	
Rules and regulations:	
Cease and desist order; Federal Military Equipment Corp. et al.-----	3171
Housing Expediter, Office of	
Rules and regulations:	
Priorities regulations:	
Deliveries into Dominion of Canada-----	3172
Gypsum board and gypsum lath-----	3172
Immigration and Naturalization Service	
Rules and regulations:	
Civil air navigation; application of laws and regulations relating to customs, public health, entry and clearance, and immigration-----	3170
Indian Affairs, Office of	
Rules and regulations:	
Navajo Indian Irrigation Project; operation and maintenance charges-----	3172
Interstate Commerce Commission	
Notices:	
Reconsignment:	
Carrots:	
Kansas City, Mo.-Kans-----	3180
Harrisburg, Pa.-----	3179
Celery at Chicago, Ill.-----	3180
Oranges at Milwaukee, Wis.-----	3179
Potatoes at Kansas City, Mo.-----	3180

RULES AND REGULATIONS

CONTENTS—Continued

Interstate Commerce Commission—Continued	Page
Notices—Continued	
Cars, unloading at Campo, Calif-----	3180
Rules and regulations:	
Car service:	
Light-weighing of cars at all ports, prohibition-----	3175
Reconsignments of potatoes, restriction-----	3174
Explosives and other dangerous articles, transportation; miscellaneous amendments-----	3174
Navy Department	
Rules and regulations:	
Naval establishment, organization and functions; miscellaneous amendments-----	3173
Public Health Service	
Rules and regulations:	
Quarantine, foreign; application to civil air navigation of laws and regulations relating to customs, public health, entry and clearance, and immigration-----	3174
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Central Commonwealth Service Corp-----	3182
East Coast Public Service Co. et al.-----	3181
South Carolina Electric and Gas Co-----	3181
South Carolina Power Co-----	3182
War Department	
Rules and regulations:	
Reserve Officers Training Corps; attendance-----	3170
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.	
Title 3—The President	Page
Chapter II—Executive Orders: 9851-----	3167
Title 7—Agriculture	
Subtitle A—Office of the Secretary of Agriculture:	
Part 1—Administrative regulations-----	3169
Title 8—Aliens and Nationality	
Chapter I—Immigration and Naturalization Service, Department of Justice:	
Part 116—Civil air navigation-----	3170
Title 10—Army: War Department	
Chapter VI—Organized reserves:	
Part 602—Reserve Officers' Training Corps-----	3170
Title 14—Civil Aviation	
Chapter I—Civil Aeronautics Board:	
Part 21—Airline transport pilot rating-----	3170

CODIFICATION GUIDE—Con.

Title 14—Civil Aviation—Con.	Page
Chapter I—Civil Aeronautics Board—Continued	
Part 43—General operation rules-----	3170
Part 61—Scheduled air carrier rules-----	3171
Title 16—Commercial Practices	
Chapter I—Federal Trade Commission:	
Part 3—Digest of cease and desist orders-----	3171
Title 19—Customs Duties	
Chapter I—Bureau of Customs, Department of the Treasury:	
Part 6—Air commerce regulations-----	3172
Title 24—Housing Credit	
Chapter VIII—Office of Housing Expediter:	
Part 803—Priorities regulations under Veterans' Emergency Housing Act of 1946 (2 documents)-----	3172
Title 25—Indians	
Chapter I—Office of Indian Affairs, Department of the Interior:	
Part 130—Operation and maintenance charges-----	3172
Title 34—Navy	
Chapter I—Department of the Navy:	
Part 26—Organization and functions of the Naval Establishment-----	3173
Title 42—Public Health	
Chapter I—Public Health Service, Federal Security Agency:	
Part 11—Foreign quarantine-----	3174
Title 49—Transportation and Railroads	
Chapter I—Interstate Commerce Commission:	
Parts 71-85—Transportation of explosives and other dangerous articles-----	3174
Part 95—Car service (2 documents)-----	3174, 3175
Chapter II—Office of Defense Transportation:	
Part 500—Conservation of rail equipment-----	3175
Part 520—Conservation of rail equipment; exceptions, permits and special directions-----	3175
a monument marked U. S. D. I. 404-5,A14. Thence south 43°51'47" west 160.00 feet to a monument marked U. S. D. I. 404-5,A15 and located at the top of a slope. Thence south 33°21'36" west 46.72 feet along the top of said slope to a monument marked U. S. D. I. 404-5,A16. Thence south 11°54'05" west 463.56 feet along the top of said slope to a monument marked U. S. D. I. 404-5,A17. Thence south 38°25'37" west 114.46 feet to a monument marked U. S. D. I. 404-5,A18 and located at the bottom of said slope, northerly of the railroad spur track and near the easterly edge of the Mount Vernon Memorial Highway, referenced south 14°22.048 feet, west 10,954.75 feet, from the dome of the United States Capitol Building. Thence across the railroad spur track and bearing south 08°27'13" east 270.12 feet to a monument marked U. S. D. I. 404-5,A19 and lo-	

cated at the top of a slope on the westerly side of the group of Public Roads Administration buildings. Thence south $09^{\circ}21'53''$ west 1,115.90 feet to a monument marked U. S. D. I. 404-5,A20 and located 35 feet more or less southerly of the southerly edge of the south access road to the Washington National Airport. Thence concentric with and 35 feet more or less southerly of the said southerly edge of said access road and with a curve to the left, having a central angle of $26^{\circ}06'40''$ and a radius of 729.00 feet, a distance of 332.22 feet, and whose long cord bears south $34^{\circ}10'47''$ west 329.36 feet to a brass screw set in the concrete pavement of the road to the parking area. Thence parallel to and concentric with and one foot more or less off the back of the westerly curb of the service road leading to the southern end of the air field, the following six courses and distances: south $37^{\circ}08'40''$ east 76.36 feet to a point; thence on a curve to the right, having a central angle of $90^{\circ}00'00''$ and a radius of 13 feet, a distance of 20.42 feet, and whose long cord bears south $07^{\circ}24'26''$ west 18.38 feet; thence south $52^{\circ}23'50''$ west 38.94 feet to a point; thence on a curve to the left, having a central angle of $46^{\circ}40'55''$ and a radius of 180 feet, a distance of 146.68 feet, and whose long cord bears south $29^{\circ}15'27''$ west 141.75 feet; thence south $05^{\circ}43'07''$ west 39.06 feet to a point; thence on a curve to the left, having a central angle of $03^{\circ}32'48''$ and a radius of 2,805.70 feet, a distance of 173.68 feet, and whose long cord bears south $03^{\circ}56'45''$ west 173.51 feet to the end of the existing curb and one foot off the back of said curb. Thence crossing aforesaid service road south $87^{\circ}49'31''$ east 25 feet to a point one foot off the back edge of the east curb of said service road. Thence on a curve to the left, having a central angle of $22^{\circ}52'34''$ and a radius of 3,250.00 feet, a distance of 1,294.36 feet, and whose long cord bears south $12^{\circ}38'13''$ east 1,289.00 feet to a monument located on the northerly bank of Four-Mile Run and marked U. S. D. I. 404-5,A29, referenced south 17,555.40 feet, west 11,046.89 feet, from the dome of the United States Capitol Building, and thence continuing with a curve of the same radius, having a central angle of $02^{\circ}01'09''$, a distance of 114.53 feet, and whose long cord bears south $25^{\circ}04'54''$ east 114.53 feet to a point in Four-Mile Run. Thence in a westerly direction radial to the aforesaid curve south $62^{\circ}32'51''$ west 25.83 feet to a point on the outside face of the east main headwall where the north wingwall joins. Thence along the face of the main headwall south $27^{\circ}27'09''$ east 62.95 feet to a point where the south wingwall joins. Thence with the following ten courses and distances along the shoreline at the mouth of Four-Mile Run; south $83^{\circ}31'11''$ east 307.37 feet; south $06^{\circ}48'13''$ east 68.12 feet; south $22^{\circ}08'48''$ west 77.03 feet; south $04^{\circ}39'24''$ west 177.12 feet; south $20^{\circ}11'20''$ east 283.01 feet; south $28^{\circ}25'07''$ east 192.72 feet; south $52^{\circ}44'36''$ east 160.91 feet; south $34^{\circ}06'57''$ east 79.50 feet; south $01^{\circ}22'34''$ west 250.23 feet; south $07^{\circ}54'07''$ east 152.22 feet. Thence leaving the shoreline and running in an easterly direction to intersect the fifth line of the Washington National Airport, south $74^{\circ}19'55''$ east 2,726.43 feet, said point being in the Potomac River. Thence with the outlines of the Washington National Airport south $15^{\circ}40'05''$ west 2,501.09 feet to the U. S. Coast and Geodetic Survey Triangulation Station WATER, referenced south 22,220.86 feet, west 8,395.54 feet from the dome of the United States Capitol Building. Thence south $01^{\circ}29'20''$ east 85.58 feet to the northerly line of the George Washington Memorial Parkway lands on Daingerfield Island, said point being the S. E. corner of the Washington National Airport. Thence along said line south $84^{\circ}30'00''$ west 1,516.39

feet to a right of way monument located at a corner on the property line of the Richmond, Fredericksburg and Potomac Railroad Company, referenced south 22,451.75 feet, west 9,902.73 feet, from the dome of the United States Capitol Building, said point being the S. W. corner of the Washington National Airport. Thence continuing with the outlines of the Washington National Airport and with the property lines of the Richmond, Fredericksburg and Potomac Railroad Company, north $08^{\circ}09'54''$ west 442.68 feet to a right of way monument. Thence north $13^{\circ}10'06''$ west 578.64 feet. Thence north $18^{\circ}07'31''$ west 462.94 feet to a right of way monument. Thence north $19^{\circ}42'21''$ west 943.56 feet to a point. Thence on a curve to the right, having a central angle of $27^{\circ}52'45''$ and a radius of 1,241.15 feet, a distance of 603.92 feet, and whose long cord bears north $05^{\circ}45'48''$ west 597.98 feet to a right of way monument. Thence north $08^{\circ}10'24''$ east 232.33 feet to a point. Thence on a curve to the left, having a central angle of $36^{\circ}59'09''$ and a radius of 1,046.00 feet, a distance of 675.22 feet, and whose long cord bears north $10^{\circ}19'10''$ west 663.56 feet to a right of way monument. Thence north $28^{\circ}48'45''$ west 256.75 feet to a right of way monument. Thence north $59^{\circ}21'55''$ west 287.84 feet. Thence north $18^{\circ}36'35''$ west 1,142.08 feet. Thence north $12^{\circ}53'06''$ west 118.02 feet to a point. Thence on a curve to the right, having a central angle of $26^{\circ}20'50''$ and a radius of 3,665.71 feet, a distance of 1,685.66 feet, and whose long cord bears north $00^{\circ}17'19''$ east 1,670.85 feet. Thence north $13^{\circ}27'44''$ east 2,002.11 feet to a point. Thence on a curve to the left, having a central angle of $10^{\circ}36'25''$ and a radius of 2,864.79 feet, a distance of 530.35 feet, and whose long cord bears north $08^{\circ}09'31''$ east 529.59 feet. Thence north $02^{\circ}51'19''$ east 124.53 feet. Thence north $04^{\circ}06'33''$ west 571.33 feet. Thence north $11^{\circ}29'12''$ west 811.63 feet. Thence north $03^{\circ}12'20''$ east 70.41 feet to a point. Thence on a curve to the right, having a central angle of $07^{\circ}43'12''$ and a radius of 5,479.58 feet, a distance of 738.32 feet, and whose long cord bears north $07^{\circ}03'56''$ east 737.75 feet, said curve being 250 feet more or less easterly of and concentric with the center line of the Richmond, Fredericksburg and Potomac Railroad Company's tracks. Thence north $75^{\circ}11'50''$ east 204.72 feet to a monument marked U. S. D. I. 404-5,A65, referenced south 10,588.57 feet, west 10,821.77 feet, from the dome of the United States Capitol Building. Thence leaving the property lines of the Richmond, Fredericksburg and Potomac Railroad Company but still continuing with the lines of the Washington National Airport, as corrected, north $75^{\circ}11'50''$ east 203.27 feet. Thence north $40^{\circ}31'23''$ east 1,533.67 feet to a point, said point being 75 feet more or less westerly of the center line of the Mount Vernon Memorial Highway at Station 102+34.14. Thence on a curve to the left, concentric with and 75 feet more or less westerly of the center line of the Mount Vernon Memorial Highway, having a central angle of $05^{\circ}45'00''$ and a radius of 7,239.41 feet, a distance of 726.52 feet, and whose long cord bears north $37^{\circ}38'53''$ east 726.22 feet, to a point of compound with another curve. Thence on a curve to the left, still concentric with the center line of the Mount Vernon Memorial Highway, having a central angle of $06^{\circ}00'00''$ and a radius of 2,217.01 feet, a distance of 232.16 feet, and whose long cord bears north $31^{\circ}46'23''$ east 232.06 feet to a point of compound with another curve. Thence on a curve to the left, still concentric with the center line of the Mount Vernon Memorial Highway, having a central angle of $57^{\circ}01'20''$ and a radius of 1,308.74 feet, a distance of 1,297.52 feet, and whose long cord bears north $00^{\circ}15'43''$ east 1,244.63 feet to a point of

compound with another curve. Thence on a curve to the left, still concentric with the center line of the Mount Vernon Memorial Highway, having a central angle of $03^{\circ}13'22''$ and a radius of 2,217.01 feet, a distance of 356.87 feet, and whose long cord bears north $32^{\circ}51'38''$ west 356.49 feet to a point of intersection with the southerly property line of the Richmond, Fredericksburg and Potomac Railroad Company. Thence along said property line north $33^{\circ}59'00''$ east 306.44 feet to the point of beginning, containing 263.70745 acres of land more or less, being the same lands as shown on maps prepared by and on file with National Capital Parks, National Park Service, United States Department of the Interior, and titled, "Property Survey, Mount Vernon Memorial Highway Thru the Washington National Airport," drawing numbers N. C. P. 117.5-254, 117.5-255 and 117.5-256.

HARRY S. TRUMAN

THE WHITE HOUSE,

May 13, 1947.

[F. R. Doc. 47-4639; Filed, May 14, 1947; 10:27 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS REPRESENTATION IN DEPARTMENTAL PROCEEDINGS

Section 1.1579 (7 CFR Cum. Supp. 1.1579) is amended to read as follows:

§ 1.1579 Representation before the Department of Agriculture—(a) Administrative provisions. (1) In any proceedings before the Department, the parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity at a hearing must conform to the standards of ethical conduct required of practitioners before the courts of the United States. Whenever the Secretary finds, after notice and opportunity for hearing, that a person who is acting or has acted as counsel or representative for another person in any proceeding before the Department is guilty of unethical conduct, he will order that such person be precluded from acting as counsel or representative in any proceeding before the Department.

(2) No former officer or employee of the Department shall be permitted to represent any person before the Department in connection with any particular matter as to which by reason of his employment he acquired personal knowledge of such a nature that it would be improper, unethical, or contrary to the public interest for him so to act.

(3) This paragraph shall not be construed to prevent any former officer or employee of the Department from appearing as a witness in any hearing, investigation, or other proceeding before the Department.

(b) Statutory provisions. (1) Officers and employees of the Federal Government are prohibited from:

(i) Prosecuting, or acting as counsel, attorney, or agent for prosecuting, any claim against the United States, or in

RULES AND REGULATIONS

any way, otherwise than in the discharge of their official duties, aiding or assisting in the prosecution or support of any such claim, or receiving any gratuity or share in the claim therefor.

(ii) Directly or indirectly receiving or agreeing to receive any compensation whatever for any services rendered or to be rendered to any person, either by themselves or others, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever.

(2) Officers and employees engaged in settlement of contracts under the Contract Settlement Act of 1944 may, as part of their official duties, advise and assist war contractors in preparing and presenting termination claims, in obtaining interim financing and in related matters.

(3) Former officers and employees of the Federal Government are prohibited, for a period of two years after termination of employment, from:

(i) Acting as counsel, attorney, or agent for, or in any way aiding in, prosecuting any claim against the United States which was pending in any Federal agency while they were serving as such officers or employees.

(ii) Prosecuting, or acting as counsel, attorney, or agent for prosecuting, any claim against the United States involving any subject matter directly connected with which such person was so employed or performed duty.

(4) No person employed by any Government agency shall, during the period such person is engaged in such employment or service, or for a period of two years after the time when such employment or service has ceased, act as counsel, attorney, or agent, or be employed as representative, in connection with any matter involving the disposition of surplus property by the agency in which such person was employed, if such person during his employment with such agency ratified, approved, or authorized the disposition of any surplus property pursuant to the provisions of the Surplus Property Act of 1944 or recommended any such approval, authorization, or ratification as part of his official duties.

(5) The provisions of this paragraph are taken from statutes which provide for fines up to \$10,000 or imprisonment up to two years for violation. Subparagraph (1), (3) (ii), and (4) of this paragraph are specifically applicable to commissioned officers assigned to duty in any Federal agency.

(R. S. 161, secs. 109, 113, 35 Stat. 1107, 1109, as amended, sec. 19 (a), 58 Stat. 667; sec. 27, 58 Stat. 781; 5 U. S. C. 22, 18 U. S. C. 198, 203, 41 U. S. C. Sup. 119, 50 U. S. C. App. Sup. 1636)

Dated: May 8, 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-4556; Filed, May 14, 1947;
8:47 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 116—CIVIL AIR NAVIGATION

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For an amendment to § 116.4 (c), see Title 19, Chapter I, Part 6, *infra*.

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VI—Organized Reserves

PART 602—RESERVE OFFICERS TRAINING CORPS

ATTENDANCE

Part 602, Chapter VI, Title 10, Code of Federal Regulations is changed as follows:

1. Paragraph (f) is added to § 602.60 as follows:

§ 602.60 Attendance. * * *

(f) An opinion of the Judge Advocate General states that the attendance under contract at summer ROTC camp of ROTC students who have completed only their first year elementary course is not legally authorized.

2. Delete the second sentence of § 602.63 and substitute the following in lieu thereof:

§ 602.63 Attendance at camp of arm or service other than that in which enrolled. * * *. Commanders referred to in § 602.56 may authorize the attendance of such students at ROTC camps of the appropriate branches provided such students are enrolled in academic courses prerequisite to enrollment in advanced ROTC as prescribed by War Department publications. [W.D. Memo 145-30-3, Feb. 24, 1947, as amended by C1, May 1, 1947] (41 Stat. 778; 10 U. S. C. 441)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-4552; Filed, May 14, 1947;
8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 21-4]

PART 21—AIRLINE TRANSPORT PILOT RATING

AIRLINE TRANSPORT PILOT PERIODIC PHYSICAL EXAMINATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 6th day of May 1947.

Section 21.400 of the Civil Air Regulations provides that the holder of an airline transport rating shall not pilot air-

craft in flight unless he has met the first class physical requirements prescribed by Part 29 within the preceding 6 calendar months.

The Civil Aeronautics Board finds that the existing regulation may be interpreted that the holder of an airline transport rating may not fly any aircraft as a commercial or private pilot unless he has passed the first class physical requirements within the preceding 6 months; that pilots holding transport or commercial pilot ratings should be permitted to fly in operations other than those for which the higher rating is required; and that compliance has been made with the notice and procedures required in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act.

Now, therefore: Effective May 16, 1947, § 21.400 of the Civil Air Regulations is amended to read as follows:

§ 21.400 *Periodic physical examinations.* A certificated airline transport pilot shall not pilot an aircraft in operations for which he is required to possess an airline transport pilot rating unless, within the preceding 6 calendar months, he has met the physical requirements of this part by passing an examination given by an authorized airline medical examiner of the Administrator. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-4569; Filed, May 14, 1947;
8:49 a. m.]

[Civil Air Regs., Amdt. 43-9]

PART 43—GENERAL OPERATION RULES
PILOT MEDICAL CERTIFICATE AND RENEWAL

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 6th day of May 1947.

The Civil Air Regulations do not specifically provide that the holder of a higher pilot rating be permitted to fly in operations which require a lower pilot rating and a lower class physical examination.

The Civil Aeronautics Board finds that pilots holding higher pilot ratings should be permitted the privileges of lower pilot ratings which require a lower class physical examination; that holders of medical certificates appropriate to higher pilot ratings should be permitted the privileges of holders of medical certificates appropriate to lower pilot ratings during the period for which the lower class medical certificate is effective; and that compliance has been made with the notice and procedures required in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act.

Now, therefore: Effective May 16, 1947, § 43.402 of the Civil Air Regulations is amended to read as follows:

§ 43.402 *Medical certificate and renewal.* No person shall pilot an aircraft under authority of a pilot certif-

cate issued by the Administrator, unless he has in his personal possession at all times while piloting aircraft a medical certificate or other evidence satisfactory to the Administrator showing that he has met the physical requirements appropriate to his rating within the following time limits:

(a) *Student or private pilot.* 24 calendar months.

(b) *Commercial pilot.* 12 calendar months, or 24 calendar months for operations requiring only a private pilot rating.

(c) *Airline transport pilot.* 6 calendar months, or 12 calendar months for operations requiring only a commercial pilot rating, or 24 calendar months for operations requiring only a private pilot rating. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-4567; Filed, May 14, 1947;
8:49 a. m.]

[Civil Air Regs., Amdt. 61-6]

PART 61—SCHEDULED AIR CARRIER RULES

ELIMINATION OF REQUIREMENT THAT PILOTS AND DISPATCHERS BE LISTED IN THE AIR CARRIER OPERATING CERTIFICATE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 6th day of May 1947.

It appearing that §§ 61.511, 61.513, 61.552, 61.554, 61.7100, and 61.7803 (c) (4) of the Civil Air Regulations either directly or indirectly require that first pilots and dispatchers be listed in the air carrier operating certificate of the air carrier which they serve; it is necessary to amend the air carrier operating certificate almost daily to provide for such listings; the required additions to or deletions from the air carrier operating certificates impose an undue amount of paper work upon the Administrator and the air carriers; it is desirable to amend the Civil Air Regulations so as to eliminate the amount of unnecessary paper work caused by the frequent amending of the air carrier operating certificate;

The Civil Aeronautics Board finds that the provisions of paragraphs (a) and (b) of section 4 of the Administrative Procedure Act have been complied with, that this amendment is a nonrestrictive change in administrative procedure, that, therefore, compliance with paragraph (c) of section 4 of the Administrative Procedure Act is unnecessary, and that this amendment should become effective ten days after adoption.

Now, therefore: Effective May 16, 1947, Part 61 of the Civil Air Regulations is amended as follows:

1. By amending § 61.50, *Airmen utilization and changes*, to read as follows:

§ 61.50 *Airmen utilization.* No scheduled air carrier shall utilize any dispatcher or flight crew member in scheduled air transportation until such airman has met the appropriate qualifi-

cations and requirements prescribed by the Civil Air Regulations.

2. By adding a new § 61.500 to read as follows:

§ 61.500 *Airmen records.* Each scheduled air carrier shall maintain such current records of dispatchers and flight crew members utilized by the air carrier in scheduled air transportation at such points on its routes as the Administrator may designate. These records shall contain such information concerning the qualifications of each airman as is necessary to show compliance with the appropriate qualifications and requirements prescribed by the Civil Air Regulations. No scheduled air carrier shall utilize in scheduled air transportation any dispatcher or flight crew member unless records are maintained for such airman as required herein.

3. By amending § 61.511, *Aircraft competency*, to read as follows:

§ 61.511 *Aircraft competency.* The first pilot shall meet the requirements of Parts 40 and 61 with respect to the aircraft to be operated in scheduled air transportation.

4. By amending § 61.513, *Route competency*, to read as follows:

§ 61.513 *Route competency.* No first pilot shall be deemed competent over any route or part thereof unless he has met the appropriate minimum requirements of Part 40 of this chapter and has maintained his route competency as provided in Part 61.

5. By amending § 61.552, *Dispatcher competency certificate*, to read as follows:

§ 61.552 *Dispatcher competency.* Each dispatcher used by a scheduled air carrier to dispatch aircraft in scheduled air transportation shall be possessed of a currently effective dispatcher certificate and shall be qualified over the route or routes over which he dispatches aircraft as provided in Part 61.

6. By amending § 61.554, *Maintenance of qualifications*, to read as follows:

§ 61.554 *Maintenance of qualifications.* Each dispatcher used by a scheduled air carrier to dispatch aircraft in scheduled air transportation shall maintain his familiarity with the route or routes over which he dispatches aircraft in scheduled air transportation and with the items set forth in §§ 61.55301 through 61.55316.

7. By deleting from § 61.7100, *Necessity for dispatching authorization*, the following words: "whose name appears in the air carrier operating certificate as".

8. By amending § 61.7803 (c) (4) to read as follows:

§ 61.7803 *Pilots' compartment.* * * * (c) * * *

(4) First or second pilots of the air carrier concerned; or first or second pilots of another scheduled air carrier who have been authorized by the air carrier concerned and the Administrator to make the trips over the route being

flown for the purpose of route qualification or familiarization;

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-4568; Filed, May 14, 1947;
8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5096]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

FEDERAL MILITARY EQUIPMENT CORP. ET AL.

§ 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Government connection:* § 3.6 (a) *Advertising falsely or misleadingly—Business status, advantages or connections of advertiser—Producer status of dealer or seller—Manufacturer:* § 3.9 (b) *Using misleading name—Vendor—Government connection.* In connection with the offering for sale, sale and distribution of military insignia, clothing, novelties, and other similar merchandise in commerce, (1) using the words "Federal Military Equipment" or words or terms of similar import or meaning as a corporate or trade name or as part of a corporate or trade name; or representing in any other manner that the respondents have any connection with the United States Government or any branch or agency thereof; or, (2) using the word "manufacturers" or any other word of similar import or meaning on letterheads, stationery, or other advertising material; or representing in any other manner that the respondents manufacture the merchandise sold by them unless and until the respondents own and operate, or directly and absolutely control, the manufacturing plant or factory wherein said merchandise is manufactured; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45 b) [Cease and desist order, Federal Military Equipment Corporation et al., Docket 5096, March 26, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of March A. D. 1947.

In the Matter of Federal Military Equipment Corporation, a Corporation, and Harry Drath, Max Schwartz, and Al B. Wolf, Individually and as Officers and Directors of Federal Military Equipment Corporation

This proceeding having been heard by the Federal Trade Commission on the complaint of the Commission, answer of the respondents, testimony and other evidence in support of and in opposition to the allegations of said complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, and brief filed in support

of the complaint (the respondents not having filed brief or requested oral argument); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Federal Military Equipment Corporation, a corporation, and its officers, and respondents Harry Drath, Max Schwartz, and Al B. Wolf, individually and as officers and directors of respondent Federal Military Equipment Corporation, and as co-partners trading as Federal Military Equipment Company or trading under any other name or names, and their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of military insignia, clothing, novelties, and other similar merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "Federal Military Equipment" or words or terms of similar import or meaning as a corporate or trade name or as part of a corporate or trade name; or representing in any other manner that the respondents have any connection with the United States Government or any branch or agency thereof.

2. Using the word "manufacturers" or any other word of similar import or meaning on letterheads, stationery, or other advertising material; or representing in any other manner that the respondents manufacture the merchandise sold by them unless and until the respondents own and operate, or directly and absolutely control, the manufacturing plant or factory wherein said merchandise is manufactured.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-4571; Filed, May 14, 1947;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

PART 6—AIR COMMERCE REGULATIONS

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

The regulations for the application to Civil Air Navigation of the laws and regulations relating to Customs, Public Health, Entry and Clearance, and Immigration issued by the Acting Secretary of the Treasury, the Federal Security Administrator, the Acting Secretary of Commerce, and the Acting Attorney General, within their respective authorities, on August 28, 1941, as amended on

RULES AND REGULATIONS

October 31, 1941, June 5, 1942, September 21, 1942, April 14, 1943, August 26, 1944, July 16, 1945, October 18, 1945, July 3, 1946, July 27, 1946, December 23, 1946, and April 26, 1947 (6 F. R. 4516, 4536, 4537, 4514, 5582, 5583, 5596; 7 F. R. 4471, 4472, 4496, 7800, 7813; 8 F. R. 5291, 5296, 5320; 9 F. R. 10446, 10448, 10503; 10 F. R. 9314, 9315, 9338, 13102, 13103, 13130; 11 F. R. 7655, 7661, 7663, 8075, 8078, 8122, 13775, 13785, 13792; and 12 F. R. 2745, 2748; 19 CFR, Cum. Supp., 6.1 to 6.11, 42 CFR, Cum. Supp., 11.501 to 11.516 and 8 CFR, Cum. Supp., 116.1 to 116.16), are hereby further amended as follows:

Section 6.4 (c) of Title 19, Code of Federal Regulations, also designated as § 11.504 (c) of Title 42 and § 116.4 (c) of Title 8, is amended by adding a new sentence as follows: "Clearance is not required of aircraft not carrying passengers for hire or merchandise, unless they are aircraft (piloted), both heavier and lighter than air, unassembled, assembled or dismantled; (a) classified from the standpoint of military security; or (b) especially designed for warlike purposes; or (c) having a weight empty greater than 35,000 pounds."

(R. S. 161, 251, sec. 644, 46 Stat. 761, sec. 7, 44 Stat. 572, secs. 367, 602, 58 Stat. 706, 712, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166; 5 U. S. C. 22, 19 U. S. C. 66, 1644, 49 U. S. C. 177, 42 U. S. C. Sup. IV, 201 note, 270, 8 U. S. C. 102, 222. Sec. 1, President's Reorganization Plan No. V; 5 F. R. 2132, 2223. Sec. 102, Reorganization Plan No. 3 of 1946; 11 F. R. 7875)

CROSS REFERENCE: See travel control regulations in 8 CFR 175, which prohibit in some cases the departure of persons from the United States and are enforced by immigration officers.

[SEAL] W. R. JOHNSON,
Commissioner of Customs.
E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.
THOMAS PARRAN,
Surgeon General,
U. S. Public Health Service.
MAURICE COLLINS,
Acting Federal Security Administrator.
TOM C. CLARK,
Attorney General.

APRIL 9, 1947.

[F. R. Doc. 47-4570; Filed, May 14, 1947;
8:49 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Priorities Reg. 22, Revocation]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

DELIVERIES INTO THE DOMINION OF CANADA

Priorities Regulation 22 is revoked. (60 Stat. 207; 50 U. S. C. App. Sup. 1821)

Issued this 14th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONE,
Authorizing Officer.

[F. R. Doc. 47-4641; Filed, May 14, 1947;
10:36 a. m.]

[Priorities Reg. 33, Revocation of Direction 5]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

GYPSUM BOARD AND GYPSUM LATH

Direction 5 to Priorities Regulation 33 is revoked.

This revocation does not affect any liabilities incurred for violation of this Direction, or of any actions taken by the Civilian Production Administration, Office of Temporary Controls or Office of the Housing Expediter under this direction.

(60 Stat. 207; 50 U. S. C. App. Sup. 1821)

Issued this 14th day of May 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONE,
Authorizing Officer.

[F. R. Doc. 47-4640; Filed, May 14, 1947;
10:36 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter L—Irrigation Projects: Operation and Maintenance Charges

PART 130—OPERATION AND MAINTENANCE CHARGES

NAVAJO INDIAN IRRIGATION PROJECT

On April 1 there was published in the daily issue of the *FEDERAL REGISTER* (12 F. R. 2132) a notice of intention (1) to repeal §§ 130.44 to 130.46 inclusive; (2) to transfer the prescribed annual rate of assessments for the Fruitland Unit of the Navajo Indian irrigation project from §§ 130.105 to 130.41, as shown below in amended § 130.41; and (3) to amend §§ 130.41 to 130.43 inclusive, as set forth in the said notice, effective for the calendar year 1947 and until further notice. Interested persons were given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments within thirty days from date of the publication of the notice. No communications, written or oral, having been received within the prescribed period, the said sections are hereby amended and promulgated as follows:

§ 130.41 Charges. Pursuant to the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), a part of the reimbursable cost of operating and maintaining the Navajo irrigation project is apportioned on a per-acre basis against the irrigable lands of the respective units for the calendar year 1947 and for each succeeding calendar year until further order, in the amounts designated below for each unit, and there is assessed against each acre of irrigable land to which water can be delivered through the constructed works of the respective unit.

Navajo project	Agency	Per acre per annum
Fruitland unit.....	Navajo.....	\$1.00
Ganado unit.....	do.....	1.00
Hogback unit.....	do.....	1.00
Many Farms unit.....	do.....	1.00
Lower Rock Point unit.....	do.....	.50

For domestic water delivered through the project canal and lateral system to permittees on the reservation lands, \$5.00 for each cistern.

For tribal lands operated by the Shiprock High School, \$3.00 per acre.

§ 130.42 Payment. The annual charges fixed in § 130.41 shall become due on April 1 of each year; are payable on or before that date, and any charges that remain unpaid after the due date shall stand as a first lien against the land until paid.

The delivery of water shall be refused to all tracts of land for which the charges have not been paid when due, except in instances where the lands are in Indian assignment, and the Indian assignee shall have made the necessary arrangements with the Superintendent as hereafter provided. When any Indian assignee of land is financially unable to pay the operation and maintenance charges on the due date from cash on hand, arrangements may be made by prior agreement with the Superintendent whereby the Indian will perform labor on the project works and pay from the proceeds received from such work at least an amount equal to \$1.00 per acre per annum; or the Superintendent may make the necessary arrangements for such Indian assignee to pay the operation and maintenance charges from the proceeds of the crops grown on the land when harvested and marketed within that calendar year, provided written statements to that effect are furnished by the Indian assignee on or before the due date.

In any instance where the Superintendent is convinced that an Indian assignee is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not able to pay his charges and copies thereof forwarded to the District Office Director for approval or rejection. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

§ 130.43 Water users responsible for water after delivery. It is the duty of the Indian irrigation service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches of proper capacity and in suitable con-

dition for the use of economical heads of water.

§ 130.43a Repeal. Sections 130.44 to 130.46, inclusive, approved by the Secretary of the Interior February 7, 1935 are hereby repealed.

(38 Stat. 583, 45 Stat. 210; U. S. C. 385, 387)

*J. W. HUTCHISON,
Acting Commissioner.*

[F. R. Doc. 47-4553; Filed, May 14, 1947;
8:47 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 26—ORGANIZATION AND FUNCTIONS OF THE NAVAL ESTABLISHMENT

MISCELLANEOUS AMENDMENTS

The following changes are authorized to amend the regulations relating to the organization and functions of the Naval Establishment (11 F. R. 177A-159):

1. In § 26.15 (c), the third line, delete the words "control and."

2. Amend § 26.15 (d) to read as follows:

* * *

3. In § 26.15 (d) (5), delete last sentence.

4. Amend § 26.15 (d) (6) to read as follows:

(d) Geographically, the Shore Establishment is distributed throughout the United States. Functionally, the field activities within the continental limits may be grouped into nine general, broadly classified types of installations and activities as follows:

5. Amend § 26.15 (d) (8) to read as follows:

(6) Medical activities include hospitals, convalescent centers, and numerous clinics, dispensaries, laboratories, and medical supply depots.

5. Amend § 26.15 (d) (8) to read as follows:

(8) Coast Guard activities, which operate as an integral part of the Navy during time of war, have now reverted to the control of the Treasury Department, with the exception of certain search rescue (air-sea) and similar functions which remain under the operational control of the Navy in areas west of Pearl Harbor. These Coast Guard activities are administered directly by the Coast Guard through its own district officers and under its own command, much as in the case of the Marine Corps. The function of these field units are supply, personnel (including the Coast Guard Academy), maintaining operating aids to navigation, light houses, life boat stations, port security, and similar duties.

6. Delete § 26.16 and substitute the following:

§ 26.16 Naval bases and naval air bases. (a) A naval base, to which reference has been made in § 26.15 (e), is a shore command in a given locality which includes and integrates all naval shore activities assigned. The mission

of a naval base is the furnishing of local logistics services direct to the Operating Forces. The component activities of each naval base are prescribed by the Chief of Naval Operations and usually include a naval shipyard, and such other activities as contribute to the support, service, and maintenance of fleet units such as a naval supply depot, naval hospital, naval ammunition depot, naval receiving station, marine barracks, etc. (General Order 245, November 27, 1946)

(b) A Naval Air Bases Command comprises all Naval and Marine aviation shore activities furnishing facilities for the operation of aircraft in each Naval District, except aviation activities assigned to the following:

(1) The Naval Air Training Command and subordinate Training Commands.

(2) The Naval Airship Training and Experimental Command.

(3) The Marine Corps Air Bases Command.

(4) The Naval Air Material Center, Philadelphia, Pa.

(5) U. S. Marine Corps Air Station, Quantico, Va.

(6) U. S. Marine Corps Air Station, Parris Island, S. C.

(7) Naval Air Missile Test Center, Point Mugu, Calif. (General Order 245, November 27, 1946)

7. In paragraph (a) (1) of § 26.17 *Naval Districts*, the 14th line, delete the word "Numerous" and capitalize the word "Other."

8. Amend § 26.17 (a) (2) to read as follows: "(2) The geographical limits of these Commands are as follows:"

9. In § 26.17 (b), make the following changes:

a. Amend the first sentence to read as follows:

(b) *Organization.* Each Naval District is commanded by a Commandant, who is the representative of the Secretary of the Navy and Chief of Naval Operations. * * *

b. In the tenth line, delete the words "next senior line officer on duty within the district" and substitute therefor "officer designated by the Commandant, and approved by the Chief of Naval Operations."

10. Amend § 26.17 (c) (1) to read as follows:

(c) *Duties and responsibilities—(1) Military Command.* The Commandants of the Naval Districts and of the River Commands, the Chief of Naval Air Training and the Commandant of the Marine Corps are the principal officers through whom the Chief of Naval Operations carries out his essential command responsibilities over the shore establishment.

11. Amend § 26.17 (c) (2) to read as follows:

(2) *Coordination.* As noted in the immediately preceding paragraphs, the Commandant provides the necessary coordination control among the several shore activities in his Naval District.

12. Add § 26.17 (c) (5) and (6) as follows:

RULES AND REGULATIONS

(5) *Control of Naval Reserve Matters.* The Commandant of the District shall administer the program of the Navy Department within the District in all matters affecting the procurement, maintenance, morale, and training of Naval Reserve personnel, except for the training of the Naval Air Reserve, which is administered by the Chief of Naval Air Reserve Training, Glenview, Illinois.

(6) *Naval Material Inspection activities and Navy Department Field Services.* Activities of the Material Inspection Service, U. S. Navy and the Navy Department Field Services and such activities as U. S. Navy Superintending Civil Engineers, Civil Works Engineers, Supervisory Cost Inspectors, Cost Inspectors, U. S. Navy, and Industrial Managers are under the military command of the Commandant of the Naval District and under his coordination control in matters affecting the organization and functions of his District. In view of the fact that areas of operation of these agencies differ in their geographical limits from those of Naval Districts, personnel of these agencies may carry out their technical duties outside of normal Naval District boundaries. Activities in this category are under the management control and technical control of the cognizant bureaus or offices of the Navy Department.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 47-4554; Filed, May 14, 1947;
8:47 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service,
Federal Security Agency

PART 11—FOREIGN QUARANTINE

APPLICATION TO CIVIL AIR NAVIGATION OF LAWS AND REGULATIONS RELATING TO CUSTOMS, PUBLIC HEALTH, ENTRY AND CLEARANCE, AND IMMIGRATION

CROSS REFERENCE: For an amendment to § 11.504 (c), see Title 19, Chapter I, Part 6, *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Docket No. 3666]

PARTS 71-85—TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

It appearing, that pursuant to section 233 of the Transportation of Explosives Act approved March 4, 1921 (41 Stat. 1445), and Part II of the Interstate Commerce Act, the Commission has formulated and published certain regulations for transportation of explosives and other dangerous articles:

It further appearing, that in applications received we are asked to amend the aforesaid regulations as set forth in provisions made part hereof;

It is ordered, That the aforesaid regulations for transportation of explosives and other dangerous articles be, and are hereby, amended as follows:

1. Superseding and amending paragraph 8, section 589 (*Definitions*), order Feb. 12, 1947, to read as follows:

(8) A train is one or more engines coupled together with or without cars displaying markers.

2. Superseding and amending paragraphs (a) (1) and (a) (2), section 589 (*Placards on cars*), order Feb. 12, 1947, to read as follows:

(a) (1) A car requiring car certificates and "Explosives", "Dangerous", or "Poison Gas" placards under the provisions of these regulations shall not be transported unless such freight car is at all times placarded and certificated as required by these regulations. Placards lost in transit shall be replaced at next inspection point.

(a) (2) At points where trains are inspected, cars placarded "Explosives" and adjacent cars shall be inspected; such cars shall continue in movement only when inspection shows them to be in condition for safe transportation.

3. Superseding and amending paragraph (d) (1), section 589 (*Placement of freight cars containing explosives, in yards, on sidings or sidetracks*), order Feb. 12, 1947, to read as follows:

(d) (1) Cars placarded "Explosives" shall be so placed that they will be safe from all probable danger of fire. Freight cars placarded "Explosives" shall not be placed under bridges or overhead highway crossings, nor in or alongside of passenger sheds or stations except for loading or unloading purposes.

4. Superseding and amending paragraphs (f) (1) and (f) (2), section 589 (*Position in train of cars containing explosives*), order Feb. 12, 1947, to read as follows:

(f) (1) In a train either standing or during transportation thereof, a car placarded "Explosives" shall, when the length of the train permits, be not nearer than the sixteenth car from both the engine or occupied caboose; and shall, when the length of the train will not permit them to be so placed, be as near as possible to the middle of the train.

(f) (2) In a freight train or mixed train either standing or during transportation thereof, a car placarded "Explosives" must not be handled next to any car placarded "Dangerous." A car placarded "Explosives" or a placarded loaded tank car shall not be next to:

(1) Occupied passenger car, other than gas handlers accompanying shipment.

(2) Occupied combination car, other than gas handlers accompanying shipment.

(3) Engine. (Except when train consists only of placarded loaded tank cars.)

(4) Car placarded "Poison Gas."

(5) Wooden under-frame car.

(6) Loaded flat car.

(7) Open-top car when any of the lading extends or protrudes above or beyond the ends or sides thereof.

(8) Car equipped with automatic refrigeration of the gas-burning type.

(9) Car containing lighted heaters, stoves, or lanterns.

(10) Car loaded with live animals or fowl, occupied by an attendant.

(11) Occupied caboose. (Except when train consists only of placarded loaded tank cars.)

5. Superseding and amending paragraph (j) (2), section 589 (*Cars containing explosives or poison gas and tank cars placarded "Dangerous" in passenger or mixed trains*), order Feb. 12, 1947, to read as follows:

(j) (2) Cars containing explosives, Class A, poison gases or liquids, Class A, and tank cars placarded "Dangerous" shall not be transported next to occupied cabooses or cars carrying passengers in mixed trains except as provided in section 589 (i) (1).

It is further ordered, That the aforesaid regulations as further amended herein shall be and remain in full force and effect on and after May 15, 1947, and shall be observed until further order of the Commission;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(41 Stat. 1445, 49 Stat. 546, 52 Stat. 1237, 54 Stat. 921, 56 Stat. 176, 18 U. S. C. 383, 49 U. S. C. 304)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-4558; Filed, May 14, 1947;
8:47 a. m.]

[S. O. 240, Amdt. 2]

PART 95—CAR SERVICE

RESTRICTION ON RECONSIGNMENTS OF POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

Upon further consideration of the provisions of Service Order No. 240 (9 F. R. 12134), as amended (11 F. R. 8452), and good cause appearing therefor:

It is ordered, That Service Order No. 240 (codified as 49 CFR § 95.240), as amended, be, and it is hereby, further amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order, as amended, shall expire at 11:59 p. m., December 1, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, This amendment shall become effective at 12:01 a. m., May 18, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-4560; Filed, May 14, 1947;
8:47 a. m.]

[Rev. S. O. 620, Amdt. 3]

PART 95—CAR SERVICE

PROHIBITION ON LIGHT-WEIGHING OF CARS AT
ALL PORTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 8th day of May A. D. 1947.

Upon further consideration of Revised Service Order No. 620 (12 F. R. 559), as amended (12 F. R. 840, 1952), and good cause appearing therefor, it is ordered that:

Section 95.620, *Light-weighing of cars at all ports prohibited*, of Revised Service Order No. 620, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., December 1, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 12:01 a. m., May 10, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, sec. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17), 15 (4))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-4559; Filed, May 14, 1947;
8:47 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF NEW FRESH HARVESTED IRISH POTATOES AND NEW FRESH HARVESTED ONIONS

CROSS REFERENCE: For an exception to the provisions of § 500.72 see Part 520 of this chapter, *infra*.

[Gen. Permit ODT 18A, Rev. 31, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW FRESH HARVESTED IRISH POTATOES AND NEW FRESH HARVESTED ONIONS

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, General Permit ODT 18A, Revised-31 (12 F. R. 1993), is hereby amended by changing paragraphs (a) and (b) of § 520.532 to read as follows:

§ 520.532 *Shipments of new fresh harvested onions.* * * *

(a) When the origin point of any such freight is any point or place within the United States excepting a point or place in the States of Texas or Georgia, and the quantity loaded in each car is not less than 30,000 pounds;

(b) When the origin point of any such freight is a point or place in the States of Texas or Georgia and the quantity loaded in each car is not less than 25,000 pounds.

This Amendment 1 to General Permit ODT 18A, Revised-31, shall become effective May 14, 1947.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Law 29, 80th Cong.; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 12th day of May 1947.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 47-4583; Filed, May 14, 1947;
8:46 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8806]

BERNARD NOLLE

In re: Trust under the will of Bernard Nolle, deceased. File D-28-7431; E. T. sec. 7633.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bernard Nolle, Elise Bierbaum, Michael Martin and Dionis (Dionys) Oberberger, whose last known address is Germany, are residents of Germany and

nationals of a designated enemy country (Germany);

2. That the sum of \$4,707.09 was paid to the Alien Property Custodian by the First National Bank of Chicago, Trustee under the will of Bernard Nolle, deceased;

3. That the said sum of \$4,707.09 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on January 11, 1944, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4572; Filed, May 14, 1947;
8:46 a. m.]

[Vesting Order 8845]

TOMIRO NAGASE

In re: Stock owned by Tomiro Nagase, also known as Tomiro Nagaso. F-39-4585-C-1, F-39-4585-D-6.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tomiro Nagase, also known as Tomiro Nagaso, whose last known address is 2 Bakuro-Cho, Nihonbushi-Ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Five (5) shares of no par value common capital stock of The Procter & Gamble Company, Cincinnati 1, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number NYO 48423, registered in the name of Tomiro Nagaso, together with all declared and unpaid dividends thereon, as evidenced by certain dividend checks in the custody of said The Procter & Gamble Company, and together with said dividend checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4573; Filed, May 14, 1947;
8:46 a. m.]

NOTICES

[Vesting Order 8852]

KUNIJI SAKAGAMI ET AL.

In re: Stock owned by Kuniji Sakagami and others. F-39-5126-D-1, D-39-638-D-1, F-28-25197-D-1, F-28-25201-D-1, F-28-25209-D-1, F-28-25207-A-1, F-28-25207-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kuniji Sakagami, whose last known address is 902-1 Sakurazuka, Toyonaka, Toyonogun, Osaka, Japan, and Mrs. Teru Shutoku, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That Martha Trepton, Miss Helene Kallenbach, Joseph Rotering and Friedrich August Rossbach, also known as Freiderich August Rossbach and as Fredrick August Rossback, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That the property described as follows: One hundred sixty (160) shares of no par value common capital stock of Radio Corporation of America, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Kuniji Sakagami.....	FN039607.....	50
Do.....	FN039608.....	10
Mrs. Teru Shutoku.....	RJ11188.....	100

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Kuniji Sakagami and Mrs. Teru Shutoku, the aforesaid nationals of a designated enemy country (Japan);

4. That the property described as follows: One hundred eighty-five (185) shares of no par value common capital stock of Radio Corporation of America, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
(Miss) Martha Trepton.....	RC12652.....	60
Miss Helene Kallenbach.....	FN034141.....	25
Joseph Rotering.....	R172343.....	100

together with all declared and unpaid dividends thereon, is property within the United States owned or controlled by, payable or deliverable to, held on behalf

of or on account of, or owing to, or which is evidence of ownership or control by Martha Trepton, Miss Helene Kallenbach and Joseph Rotering, the aforesaid nationals of a designated enemy country (Germany);

5. That the property described as follows: One hundred sixty-five (165) shares of no par value common capital stock of Radio Corporation of America, 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered FN029714 and FN029715 for fifty (50) shares each and certificate number FN029716 for sixty-five (65) shares, presently in the custody of Seattle First National Bank, Spokane and Eastern Branch, Spokane, Washington, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Friedrich August Rossbach, also known as Freiderich August Rossbach and as Fredrick August Rossback, the aforesaid national of a designated enemy country (Germany); and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

7. That to the extent that the persons named in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4574; Filed, May 14, 1947;
8:46 a. m.]

[Vesting Order 8862]

RUPRECHT VON GILARDI

In re: Stock owned by Ruprecht von Gilardi. F-28-4630-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Execu-

tive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ruprecht von Gilardi, whose last known address is Traunstein, Upper Bavaria, Schloss Strasse 2, Germany, is a resident of Germany, and a national of a designated enemy country (Germany);

2. That the property described as follows: Forty-nine (49) shares of no par value common capital stock of Old Ben Coal Corporation, 230 South Clark Street, Chicago 4, Illinois, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered CO-2369, registered in the name of Ruprecht von Gilardi, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 30, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4575; Filed, May 14, 1947;
8:46 a. m.]

[Vesting Order 8871]

MARIA BOCK

In re: Estate of Maria Bock, deceased. File D-28-10126; E. T. sec. 14419.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwig Bock, Heinrich Bock and Frieda Bock, a/k/a Frieda Geltheimer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$763.75 and three (3) United States Savings Bonds of

\$75.00, Series E registered in the name of Miss Marie Bock and payable on death to Miss Frieda Bock, Nos. Q 416,079,369E, Q 490,291,604E and Q 576,864,472E, were delivered to the Alien Property Custodian by Lester E. Mahr, Administrator of the Estate of Marie Bock, deceased.

3. That the said sum of \$763.75 and bonds are presently in the possession of the Attorney General of the United States and were property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on September 4, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4576; Filed, May 14, 1947;
8:46 a. m.]

[Vesting Order 8873]

JACOB GMAHLE

In re: Estate of Jacob Gmahle, deceased. File D-28-9637; E. T. sec. 13385.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Louise Bauer, Otto Zendell, Hermann (Herman) Zendell, Karl Stoekle, Sr., Karl Stoekle, Jr., Hermann Stoekle, Emilie Stoekle Ulmer, Berta Stoekle Steiner, Charlotte Stoekle Zengerle, and Albert Stoekle whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Lewis Knobloch, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

graph 1 hereof in and to the Estate of Jacob Gmahle, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Pauline Schweitzer, as Administratrix, acting under the judicial supervision of the Probate Court of McLean County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4577; Filed, May 14, 1947;
8:47 a. m.]

[Vesting Order 8877]

LEWIS KNOBLOCH

In re: Estate of Lewis Knobloch, deceased. File D-28-9802; E. T. sec. 13817.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ida Stinshoff, Augusta Diehl and Else Reuter, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Lewis Knobloch, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by William E. Knobloch, as Administrator, acting under the judicial supervision of the County Court of Champaign County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

NOTICES

nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4578; Filed, May 14, 1947;
8:47 a. m.]

[Vesting Order 8878]

WILLIAM KNOBLOCH ET AL.

In re: William Knobloch, et al. vs. Ida Stinshoff, et al. File No. D-28-9802; E. T. sec. 13817.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ida Stinshoff, Augusta Diehl and Else Reuter, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of \$82.57 was paid to the Alien Property Custodian by Donald M. Reno, Master-in-Chancery, in the matter of William Knobloch, et al. vs. Ida Stinshoff, et al.;

3. That the sum of \$82.57 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said

property in the Alien Property Custodian by acceptance thereof on October 8, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4579; Filed, May 14, 1947;
8:47 a. m.]

[Vesting Order 8913]

CARL HANS RINGWALD AND ERNST WILLY RINGWALD

In re: Interests in mortgages owned by and debts owing to Carl Hans Ringwald and Ernst Willy Ringwald. F-28-5853, F-28-5853-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Hans Ringwald and Ernst Willy Ringwald, whose last known addresses are Maria Theresia Strasse, Freiburg, i/B Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided one-eighth (1/8) interest in and to that certain mortgage, executed on May 21, 1912, by Marcoen Construction Company to Lawyers Mortgage Company, in the original sum of \$44,000.00, covering the premises located at 1760 Washington Avenue, Bronx, New York, and recorded on May 21, 1912, in the Office of the Register of the County of New York, in block series (Mortgages) section 11, Liber 240, at page 363, and any and all obligations secured by said interest in the mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

b. An undivided one-eighth (1/8) interest in and to that certain mortgage (Y-6087), executed on November 13, 1929, by Evelyn Iselin to Clara Rusch Iselin, in the original sum of \$26,000.00, covering the premises located at Everit Avenue and Hewlett Lane, Hewlett Harbor, Long Island, County of Nassau, New York, and recorded on November 21, 1929, in the Office of the County Clerk of the County of Nassau, in Liber 1455 mp 229, and any and all obligations secured by said interest in the mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

c. All those debts or other obligations owing to Ernst Willy Ringwald, by Rusch & Co., 1441 Broadway, New York, New York, including particularly but not limited to that sum of money in the amount of \$6,047.24, as of March 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Ernst Willy Ringwald, the aforesaid national

and other instruments evidencing such obligations.

c. All those debts or other obligations owing to Carl Hans Ringwald, by Rusch & Co., 1441 Broadway, New York, New York, including particularly but not limited to that sum of money in the amount of \$6,047.24, as of March 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Carl Hans Ringwald, the aforesaid national

of a designated enemy country (Germany);

3. That the property described as follows:

a. An undivided one-eighth (1/8) interest in and to that certain mortgage, executed on May 21, 1912, by Marcoen Construction Company to Lawyers Mortgage Company, in the original sum of \$44,000.00, covering the premises located at 1760 Washington Avenue, Bronx, New York, and recorded on May 21, 1912, in the Office of the Register of the County of New York, in block series (Mortgages) section 11, Liber 240, at page 363, and any and all obligations secured by said interest in the mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

b. An undivided one-eighth (1/8) interest in and to that certain mortgage (Y-6087), executed on November 13, 1929, by Evelyn Iselin to Clara Rusch Iselin, in the original sum of \$26,000.00, covering the premises located at Everit Avenue and Hewlett Lane, Hewlett Harbor, Long Island, County of Nassau, New York, and recorded on November 21, 1929, in the Office of the County Clerk of the County of Nassau, in Liber 1455 mp 229, and any and all obligations secured by said interest in the mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations, and the right to enforce and collect such obligations, and the right to possession of any and all notes, bonds and other instruments evidencing such obligations,

c. All those debts or other obligations owing to Ernst Willy Ringwald, by Rusch & Co., 1441 Broadway, New York, New York, including particularly but not limited to that sum of money in the amount of \$6,047.24, as of March 25, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Ernst Willy Ringwald, the aforesaid national

of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4582; Filed, May 14, 1947;
8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-893]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

MAY 8, 1947.

Notice is hereby given that on April 24, 1947, United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business in Shreveport, Louisiana, and authorized to do business in the States of Alabama, Louisiana, Mississippi, and Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate the following facilities:

A tap and meter station in Township 3 South, Range 4 East, Baldwin County, Alabama, on Applicant's Mobile-Pensacola natural gas transmission line.

Applicant states that the proposed facilities are for the purpose of supplying the requirements of natural gas for resale through municipally owned distribution systems in the following named municipalities and their environs in Escambia County, Alabama: City of Atmore; City of Brewton; Town of Flomaton. Applicant states that it has entered into an appropriate contractual arrangement with the above named municipalities under which natural gas will be sold to said municipalities. It is stated that service through the proposed facilities will be from gas reserves which Applicant has under contract in the Baxterville Field and which it proposes to connect to its present system at a point near Mobile, Alabama.

The estimated maximum daily demand for all of the above named cus-

tomers, during the 1947-48 season, is 900 Mcf., and the estimated daily minimum demand for the same period is 100 Mcf. The estimated daily delivery capacity of the proposed facilities is 7,000 Mcf.

Estimated overall capital cost of the proposed facilities is stated to be approximately \$5,300, which Applicant proposes to finance out of cash on hand.

Applicant states that since the communities named in the application are not now being served with natural gas, the residents therein are most anxious that the natural gas service to be rendered by means of the proposed facilities be made available to them.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of United Gas Pipe Line Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the *FEDERAL REGISTER*, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner's or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering, specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4546; Filed, May 14, 1947;
8:46 a. m.]

[Project No. 16]

NIAGARA FALLS POWER CO.

ORDER FURTHER EXTENDING TIME FOR ORAL ARGUMENT

On April 8, 1947, the Commission fixed April 25, 1947, as the time for oral argument on application filed by The Niagara Falls Power Company, licensee, for amendment of the license for Project No. 16 to include certain claimed water rights which it proposes to acquire from Buffalo Niagara Electric Corporation.

Upon request of licensee the Commission on April 16, 1947, extended the time for oral argument to May 14, 1947.

The licensee has requested a further extension of time for the oral argument.

The Commission finds that: A further change in the time for the oral argument, as hereinafter provided, will not be inconsistent with the public interest.

It is ordered, That: The time set for oral argument before the Commission on the question of the validity of the water rights referred to above and the authority of the Federal Power Commission to approve the proposed amendment to the license is hereby changed to commence at 10:15 a. m., on Wednesday, June 18, 1947, in the Commission's Hearing Room, 12th floor, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: May 12, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4547; Filed, May 14, 1947;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 180]

RECONSIGNMENT OF ORANGES AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Milwaukee, Wisconsin, May 7, 1947, by Mutual Orange Distributors, of cars PFE 41915, and SFRD 26060, oranges, now on the C. & N. W. and C. M. ST. P. & P. RR's, respectively, to Mutual Orange Distributors, Chicago, Illinois.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 7th day of May 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-4562; Filed, May 14, 1947;
8:48 a. m.]

[S. O. 396, Special Permit 181]

RECONSIGNMENT OF CARROTS AT HARRISBURG, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10

NOTICES

F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Harrisburg, Pa., May 8, 1947, by Harrisburg Daily Market, of car PFE 95143, carrots, now on the PRR to H. Rothstein & Sons, Phila., Pa. (PRR).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-4563; Filed May 14, 1947;
8:48 a. m.]

[S. O. 396, Special Permit 182]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, Mo.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo., May 8, 1947, by E. E. Fadler Co., of car PFE 75489, potatoes, now on the Kansas City Southern Ry., to Crews Fruit Company, Denver, Colorado.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-4564; Filed, May 14, 1947;
8:48 a. m.]

[S. O. 396, Special Permit 183]

RECONSIGNMENT OF CARROTS AT KANSAS CITY, Mo.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first order-

ing paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Mo.-Kans., May 8, 1947, by Ralph Myers Co., of cars PFE 40792 and PFE 39040, carrots, now on the C. R. I. & P. RR., to Joe Weiss & Sons, Detroit, Mich. (Wab), and to Carbone Bros. & Co., New York, N. Y. (R. I.-N. Y. C), respectively.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1947.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 47-4565; Filed, May 14, 1947;
8:48 a. m.]

[S. O. 733]

UNLOADING OF CARS AT CAMPO, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of May A. D. 1947.

It appearing, that thirteen cars containing various commodities at Campo, California, on the San Diego & Arizona Eastern Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

(a) *Cars at Campo, Calif., be unloaded.* The San Diego & Arizona Eastern Railway Company, its agents or employees, shall unload immediately the following cars, now on hand at Campo, California, consigned to Aldrete Interests, Tecate, Mexico:

Car initial and No.	Contents
PRR, 471250	Tanks.
N&W, 32302	Do.
C&O, 9847	Machinery.
NYC, 176335	Do.
CBQ, 21148	Cartons.
PRR, 84703	Do.
PM, 71125	Do.
MP, 8607	Tanks.
PRR, 426366	Do.
MC, 85033	Machinery.
IC, 33218	Cartons.
ATSF, 4187	Do.
NYC, 177708	Do.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., May 12, 1947, and continuing until the actual unloading of said car or cars is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads, subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of May 1947.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 47-4566; Filed, May 14, 1947;
8:48 a. m.]

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-4561; Filed, May 14, 1947;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-985]

SOUTH CAROLINA ELECTRIC AND GAS CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of May A. D. 1947.

The Boston Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, \$7.50 Par Value, of South Carolina Electric and Gas Co., a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Philadelphia, Pennsylvania.

Notice is hereby given that, upon request of any interested person received prior to May 30, 1947, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Philadelphia, Pennsylvania. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,
Secretary.

[F. R. Doc. 47-4551; Filed, May 14, 1947;
8:46 a. m.]

[File Nos. 54-85, 59-90]

EAST COAST PUBLIC SERVICE CO. ET AL.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 8th day of May A. D. 1947.

In the matters of East Coast Public Service Company, Virginia East Coast

Utilities, Incorporated, Tidewater Electric Service Company, and Floyd W. Woodcock, Applicants, File No. 54-85; East Coast Public Service Company, Virginia East Coast Utilities, Incorporated, and Tidewater Electric Service Company, Respondents, File No. 59-90.

The Commission, in its findings, opinion and order dated April 2, 1947,¹ approved the Plan, as amended, of East Coast Public Service Company ("East Coast"), Virginia East Coast Utilities, Incorporated ("Virginia")² and Tidewater Electric Service Company ("Tidewater"), providing for the merger of Tidewater into Virginia, the recapitalization of Virginia and the liquidation and dissolution of East Coast pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, and applications and declarations pursuant to applicable sections of the act for approval of related transactions. Among other things, we reserved jurisdiction with respect to the proposed issuance and sale by Virginia of \$1,300,000 principal amount of its new First Mortgage Bonds, Series A, and 60,000 shares of its new common stock until certain necessary amendments were filed setting forth the terms of such securities. Subsequently, by order dated April 29, 1947, the United States District Court for the District of Delaware approved the Plan, as amended, with respect to East Coast and its subsidiary companies.

In our findings and opinion with respect to the Plan, as amended, we stated, on the basis of the record then before us, that the new bonds and new common stock of Virginia appeared to satisfy the requirements of section 7 of the act. We were not at that time, however, in a position to permit the declaration under section 7 to become effective inasmuch as information concerning the definitive terms and conditions of the new securities had not yet been supplied for the record.

The applicants have now filed an amendment to their application under section 11 (e) of the act containing certain definitive terms and conditions of the new securities to be issued by Virginia, as well as the terms and conditions relating to the sale of such new securities. On the basis of the record now completed, with respect to the issuance of the new bonds and new common stock by Virginia, we find that such securities satisfy the standards of section 7 of the act.

Both the First Mortgage Bonds and new common stock to be issued by Virginia will be sold in accordance with the competitive bidding requirements of Rule U-50. Pursuant to such requirements, East Coast and Virginia jointly will publicly invite proposals for the purchase of the new bonds. The invitation for bids on the bonds provides that the

¹ East Coast Public Service Company, et al. — S. E. C. — (1947), Holding Company Act Release No. 7326.

² On April 30, 1947, Tidewater was merged into Virginia, and on May 1, 1947, Virginia, the surviving company, changed its name to East Coast Electric Company which, for purposes of this findings, opinion and order, we will refer to as "Virginia."

price to be paid to East Coast and Virginia for the bonds shall not be less than 100% nor more than 102 $\frac{3}{4}$ % of the principal amount thereof. The bidders will also designate the annual interest rate which shall be a multiple of $\frac{1}{8}$ of 1%.

As to the common stock, Virginia will deliver 60,000 shares to East Coast after which East Coast will publicly invite proposals for the purchase of such stock simultaneously with the invitation for bids for Virginia's new bonds.

We have examined the terms and conditions of the public sale of the new bonds and new common stock of Virginia, and we observe no basis for adverse findings with respect to them.

East Coast and Virginia have requested that the Commission enter an order pursuant to the provisions of section 1808 (f) of the Internal Revenue Code, and that the order contain the necessary recitals and specifications required therein. In our findings and opinion dated April 2, 1947, we found that the proposed transactions are necessary and appropriate to the simplification of East Coast's holding company system, but jurisdiction was reserved with respect to appropriate recitals and specifications. It now appears proper that Applicants' request be granted and, accordingly, our order herein will contain the necessary recitals and specifications requested.

It is therefore ordered. Pursuant to the applicable provisions of said act, including sections 6 (a) and 7 thereof, that the declaration with respect to the issue and sale by Virginia of \$1,300,000 principal amount of First Mortgage Bonds, Series A, due 1977, and to the issue and sale by Virginia of 60,000 shares of its new common stock, and the sale by East Coast of \$800,000 principal amount of such bonds and 60,000 shares of such common stock be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions set forth in our findings and opinion dated April 2, 1947, and subject to the further condition that the proposed public sales of the First Mortgage Bonds and new common stock of Virginia shall not be consummated until the results of the competitive bidding for such bonds and common stock have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered. That jurisdiction be, and the same hereby is, reserved with respect to the price and interest rate of Virginia's new bonds; the price of Virginia's new common stock; the underwriters' spread on both the new bonds and new common stock of Virginia; and the fees and expenses of counsel for the successful bidders for both the new bonds and new common stock of Virginia.

It is further ordered. That as to the amount and allocation of fees and other compensation and expenses in connection with the plan, other appropriate proceedings, findings and further ac-

RULES AND REGULATIONS

tion in connection with the plan, as amended, and the section 11 (b) (2) proceedings, over which we reserved jurisdiction in our order dated April 2, 1947, jurisdiction is continued.

It is further ordered and recited, That the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935;

(1) The issuance and delivery by Virginia to East Coast of \$800,000 principal amount of First Mortgage Bonds, Series A, due January 1, 1977, and 60,000 shares of common stock of the par value of \$10 per share in exchange for \$1,876,745.34 principal amount of First Mortgage 5% Bonds, due August 1, 1948, and 500 shares of common stock of the par value of \$100 per share of Virginia now held by East Coast.

(2) The issuance and sale by Virginia, for the purpose of paying outstanding indebtedness of \$350,000 principal amount of First Mortgage Bonds, Series A, due January 1, 1977.

(3) The sale by East Coast for its own account of \$800,000 principal amount of the First Mortgage Bonds, Series A, due January 1, 1977, issued by Virginia and 60,000 shares of common stock having a par value of \$10 per share, also issued by Virginia.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-4548; Filed, May 14, 1947;
8:46 a. m.]

[File No. 70-1488]

SOUTH CAROLINA POWER CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of May 1947.

South Carolina Power Company ("South Carolina"), a public utility subsidiary of The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, having filed a declaration with amendments thereto under the Public Utility Holding Company Act of 1935 and particularly sections 6 and 7 thereof with respect to the issue and sale by South Carolina at competitive bidding, in accordance with Rule U-50 of our rules and regulations, of 200,000 shares of no par common stock and \$4,000,000 principal amount of its First and Refunding Mortgage Bonds, —% Series, due 1977, and with respect to certain charter amendments; and

A public hearing having been held on such declaration, after appropriate notice, and the Commission having ex-

amined the record, and having filed its findings and opinion based thereon:

It is ordered, That said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

(1) That the proposed sale of common stock and bonds by South Carolina shall not be consummated until the results of competitive bidding have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof;

(2) That jurisdiction be, and it is, hereby reserved over the payment of all fees or expenses of all counsel, incurred or to be incurred in connection with the proposed transactions;

(3) That the condition contained in our order of January 11, 1945 (Holding Company Act Release No. 5545) restricting dividend payments on the common stock of South Carolina so long as any of the bonds issued pursuant to that order and due 1975 are outstanding shall also be applicable so long as any of the new bonds to be issued pursuant to this order and due 1977 remain outstanding; and

(4) That, prior to any sale of the common stock by South Carolina to other than Commonwealth, Commonwealth shall agree to dispose of its interest in South Carolina and to the entry by the Commission of an order to such effect in order to ensure compliance with section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-4549; Filed, May 14, 1947;
8:46 a. m.]

[File No. 811-481]

CENTRAL COMMONWEALTH SERVICE CORP.
NOTICE OF MOTION, STATEMENT OF ISSUES
AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 9th day of May A. D. 1947.

Notice is hereby given that the Corporation Finance Division of the Commission, having reasonable cause to believe that Central Commonwealth Service Corporation has ceased to do business and does not have any assets, will move pursuant to section 8 (f) of the Investment Company Act of 1940 for an order declaring that Central Commonwealth Service Corporation has ceased to be an investment company and terminating its registration under said act.

It appears that the only assets of Central Commonwealth Service Corporation consist of preferred and common stock of Garland Manufacturing Company, and that in the liquidation of Garland Manufacturing Company pursuant to Chapter X of the Bankruptcy Act no distribution was made on account of its preferred and common stock since there were no assets over and above assets required to pay prior claims. It further appears that Central Commonwealth Service Corporation has ceased to do business.

The Corporation Finance Division has advised the Commission that upon preliminary examination it deems the following issues to be raised without prejudice to the specification of additional issues upon further examination:

(1) Whether Central Commonwealth Service Company has ceased to be an investment company within the meaning of the act, and

(2) Whether it is necessary for the protection of investors to condition any order terminating its registration under the act.

It appearing to the Commission that a public hearing upon the motion is necessary and appropriate:

It is ordered, Pursuant to section 40 (a) of said act, that a public hearing on the aforesaid motion be held on May 27, 1947, at 9:45 a. m., eastern daylight time, in Room 318 in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

It is further ordered, That William W. Swift, Esquire, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to hearing officers under the Commission's rules of practice.

Notice of such hearing is hereby given to Central Commonwealth Service Corporation and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise desiring to participate in said proceeding should file with the Secretary of the Commission, on or before May 26, 1947 his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-4550; Filed, May 14, 1947;
8:46 a. m.]